

THE HONORABLE THOMAS ZILLY

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

FRANKLIN CURTIS WITTER AND
EDWARD JOHN SUDEN,

Defendants.

NO. 05-214Z

ORDER GRANTING STIPULATED
MOTION TO
CONTINUE TRIAL

THIS MATTER HAVING COME on/or before the undersigned Judge, upon the application of the defendants in this matter for an order continuing trial, and the court having considered the records and files herein.

THE COURT HAVING FOUND that counsel for the defendants, and counsel for the government agree that a continuance of the trial date is necessary, that additional time is required to review recently received discovery, prepare for trial, and entertain plea negotiations, and that continuing the trial date on the ground that the "ends of justice served by taking such action outweigh the best interest of the public and the defendants in a speedy trial," as permitted by 18 U.S.C. §§ 3161(h)(8)(A) (B)(ii) and (B)(iv).

IT IS HEREBY ORDERED that the pre-trial motions cutoff date be continued from June 22, 2005 to September 1, 2005, and the trial date in this matter is continued from August 8, 2005 to October 17, 2005.

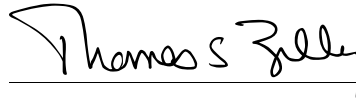
IT IS FURTHER ORDERED that the period of time from the current trial date of August 8, 2005 to October 17, 2005 is excluded in calculating the time within which trial

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1 must begin under the Speedy Trial Act pursuant to 18 U.S.C. §3161(h)(8)(A).

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3 DATED this 23rd day of June, 2005.

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5 THE HONORABLE THOMAS ZILLY

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7 Presented by:

8 Franklin Curtis Witter, represented by:

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18 Plaintiff, USA, represented by:

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19 s/ Sarah Vogel, AUSA via telephonic

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